record.)

Q. We're back on the record. Ms. Smith provided us with her New York State identification card.

We made a copy of it, and you did receive it back; correct?

A. Correct.

Q. So we have marked a copy as Plaintiff's Exhibit 1. Do you have Tennessee state ID or any ID with your married name?

A. Yes, I do.

Q. Could we see a copy of that?

MR. SIMON: What's the point?

Q. You have shown me a United States Uniformed Services identification card?

A. Yes.

MR. LANE: Okay. We're just going to make a photocopy of this, we're going to mark it as Exhibit 2, and we'll proceed from there. Off the record.

(A discussion is held off the record.)

(Copy of Ms. Smith's United States Uniformed Services ID card is marked as

Plaintiff's Exhibit 2 for identification, as of this date.)

Q. We're back on the record. Let's put these in front of you. You did provide me with your United States Uniformed Services identification and privilege card?

A. Yes.

Q. We made a copy of it and we marked it as Exhibit 2 and I returned the original card back to you; correct?

A. Correct.

Q. Are you in the armed services?

A. No, my husband is.

Q. Your husband is, okay. Could you tell me your husband's name?

A. Jonathan Adam Smith.

Q. What branch of the armed services is he in?

A. Army.

Q. What is his rank?

MR. SIMON: Objection. The rank of the husband has nothing to do with this.

MR. LANE: Your objection is

noted.

Q. You can answer the question.

MR. SIMON: I'm telling her not to answer that. Let's go on the record with the judge. You're asking the rank of the husband? We're getting into stupidity here. You want to know her husband's rank in the military as if it's relevant here? Give me a break. Let's move ahead. This is craziness. I'm upset about it.

Let's get the judge on the line right now. I demand we get the judge if you're going to start asking about her husband's rank. This is pitiful. Let's get the judge on the line right now. If you want to pursue that question, I demand we get the judge. I'm not going to let her answer it. At some point you've reached the limit. Her husband's rank in the military down in Tennessee?

MR. LANE: Here's what we're going to do. We're going to just note that for the record and we're going to continue. We're not going to get the judge on the phone for that. It's not the most important thing. Let's go on.

MS. LINDERMAYER: And we will also note that you stood up, raised your voice and slammed the table for the record.

MR. LANE: That's right.

MR. SIMON: I'm on the record.

MR. LANE: Right. Just to be clear, all of Mr. Simon's comments were on the record.

MR. SIMON: They're intended to be.

MR. LANE: All right.

Q. Why did you move to Tennessee?

A. I got married.

Q. You got married in -- I'm sorry -- June of 2014?

A. Yes.

Q. So I understand you got married June 2014. But why then did you move to Tennessee?

A. I moved after I got married.

Nada Smith

Q. Is your husband in active duty?
A. No.
Q. Is he stationed in --
A. No.
Q. Is he stationed in Tennessee?
A. No.
Q. But he is not on active duty now?
A. No, he's in the reserves.
Q. In the reserves, okay. Did you get married in Tennessee or in --
A. No. In New York.
Q. Can you tell me the first month in which you were residing in Tennessee?
A. June.
Q. June 2014?
A. Yes.
Q. That is the month you moved?
A. Yes.
Q. Was your wedding here or in Tennessee?
A. Here.
Q. Did you or your husband have a job in Tennessee that brought you down there?
A. He did.

Nada Smith

Q. What does he do for a living?
A. He's a police officer.
Q. In Cleveland?
A. In Alabama.
Q. Are you working now?
A. Yes.
Q. Where do you work?
A. At Lowe's. Lowe's Home Improvement.
Q. Lowe's Home Improvement center, okay. What do you do at Lowe's?
A. Cashier.
Q. Where is Lowe's?
A. In Tennessee.
Q. Could you give me the address of the --
A. I don't know the address. I just I know it's in Kimball.
Q. Kendall?
A. Kimball, Tennessee.
Q. K-E?
A. K-I-M-B-A-L-L.
Q. And you're a cashier?
A. Yes.

Nada Smith

Q. How long have you been working there?

A. A week.

Q. Did you have a job in Tennessee before that?

A. No.

Q. When you were living here in New York, did you have a job? In June 2014, did you have a job?

A. I had left in the beginning of June.

Q. What job was that?

A. It was at another dealership.

Q. Which dealership?

A. I'm sorry, I'm just trying to remember the name.

Q. That's all right. You can't consult with your attorney to answer the question.

MR. SIMON: If you remember. But if you don't remember, you don't remember.

A. I don't remember.

Q. What town was the dealership in?

A. In Long Island City.

Q. Who owned the dealership?

A. I don't remember his name.

Q. When did you start working there?

A. January of '14.

*RQ MR. LANE: We're going to leave a blank in the transcript for the name of the dealership.

INSERT: ______________________________________

MR. LANE: You will obviously refresh your memory about this after the deposition, and I will serve it on your attorney, and you will provide us with the name and the address of the dealership.

Q. Do you know at least at this point what street the dealership was on?

A. Northern Boulevard.

MR. SIMON: I can provide that information if you would like.

MR. LANE: That would be great, thank you.

MR. SIMON: JF Motors. It's located on Northern Boulevard in Long

Island City, I think.

THE WITNESS: Yes.

MR. LANE: Can you provide me with the name of the owner of JF Motors?

MR. SIMON: I think I know the person. The last name is Kahn. K-A-H-N. First name is Faisel. F-A-I-S-E-L.

Q. When did you begin working at JF Motors?

A. January.

MR. SIMON: Off the record.

(A discussion is held off the record.)

Q. Your attorney has just provided us with some information about JF Motors, Ms. Smith. Does that sound right; that the owner was Faisel Kahn?

A. Correct.

Q. Did Faisel Kahn hire you to work at JF Motors?

A. Yes.

Q. When did he hire you?

A. January.

Nada Smith

Q. January of what year?
A. 2014.
Q. What was your role at JF Motors?
A. Just a receptionist.
Q. What were some of the duties that you took care of as a receptionist?
A. Answering phones, making appointments, and filing paperwork.
Q. Were any of your responsibilities similar to a cashier? Did you handle money at all --
A. No.
Q. -- for JF Motors?
Did you assist at all in the financing process?
A. No.
Q. With anyone?
A. No.
Q. Where did you work before JF Motors?
A. New York Motor Group.
Q. When did you begin working at New York Motor Group?
A. October of 2012.

Nada Smith

Q. And you worked there consistently from October 2012 to December 2013?

A. Correct.

Q. After December 2013, did you continue to work at New York Motor Group at all?

A. No.

Q. Why did you leave New York Motor Group?

A. I just wanted to leave.

Q. Who owns New York Motor Group?

A. My father.

Q. Your father is Mamdoh Eltouby?

A. Correct.

Q. What was your job title at New York Motor Group?

A. Assistant. Receptionist also.

Q. Assistant receptionist?

A. Assistant and receptionist.

Q. Assistant and receptionist, okay.

A. Assistant. I mean, assisting my father with the dealership.

Q. What are some of the tasks that you did while assisting your father in the dealership?

A. Answering phones, making appointments, handling -- filing the paperwork.

Q. What kind of paperwork did you file?

A. The deals.

Q. Can you explain what you mean by "The deals"?

A. The deals. The files. The customer files.

Q. What were some of the documents that would be in the deal?

A. A bill of sale. Contract. Their DMV paperwork. Copies of all their stuff; licenses and everything like that, and insurance cards and everything.

Q. Did you deal with the customers directly?

A. No.

Q. Did you ever speak with the customers?

A. They came in and said hi and I greeted them, you know, but I didn't directly deal with them.

Nada Smith

Q. When you said you greeted people, was your desk in such a place that if people came in you would be the first person they would see?

A. No. I mean if they were there, I wasn't going to be rude and just ignore them, you know. I did say hi to them.

Q. Where were you sitting in the office?

A. It was a back office. I could see the front door, but it was just in an office.

Q. Who supervised your work?

A. Nobody.

Q. No one supervised you; all right.

A. There was a sales manager that supervised the salespeople, but no one supervised me.

Q. What was the sales manager's name?

A. I don't remember.

Q. Let me move on here. Before October of 2012, did you have a job?

A. Yes.

Q. Where were you working before that?

A. Habberstad BMW of Bay Shore.
Q. Habberstad BMW?
A. Of Bay Shore, yes.
Q. What did you do at Habberstad BMW?
A. Front desk receptionist.
Q. When did you start working there?
A. I believe, June of 2010.
Q. And you worked there until October 2012?
A. Correct.
Q. I'm losing track of the years here. You were born in '89, right?
A. Correct. Actually, wait, I'm sorry, it was 2011. I'm sorry.
Q. That's okay.
A. I believe it was 2011.
Q. Did you have a job before Habberstad BMW?
A. Yes.
Q. Where was that?
A. Dodge Jeep & Chrysler in -- I know it was on Sunrise Highway. Wantagh.
Q. Wantagh?
A. Mm-hmm.

Nada Smith

Q. What did you do at Dodge Jeep & Chrysler?

A. Receptionist.

Q. When did you start working there?

A. I don't remember honestly.

Q. But there was no job in between Dodge Jeep & Chrysler and Habberstad BMW?

A. No, because I left Dodge Jeep & Chrysler for BMW.

Q. And you're not sure if it was 2011 or 2010 when you did that?

A. It was 2011 that I started with BMW. I don't remember when I started with Dodge, but I was with them for a while.

Q. Until June 2011 or so, okay. Did you have a job before Dodge Jeep & Chrysler?

A. Yes.

Q. Where was that?

A. Dodge Jeep & Chrysler also, but in Amityville.

Q. Is that the same dealership at --

A. No.

Q. -- different locations? No?

A. No.

MR. SIMON: You want the name of that dealership, the one in Amityville?

MR. LANE: Sure, if you have it.

MR. SIMON: I think it's "Security." Give him a complete answer now, okay?

Q. So you worked at Security Dodge Jeep & Chrysler in Amityville and Dodge Jeep & Chrysler on Sunrise --

A. It's just Dodge Jeep & Chrysler of Wantagh.

Q. The question is: Was there a specific name for the Dodge Jeep & Chrysler on Sunrise Highway in Wantagh?

A. It was the Dodge Jeep & Chrysler of Wantagh.

MR. LANE: Do let me finish the question. I appreciate that you can often anticipate what I'm saying, but just let me complete it and then answer it. Thank you. I appreciate that, and so does the court reporter.

THE WITNESS: No problem.

Q. At Security Dodge Jeep & Chrysler

Nada Smith

of Amityville, what was your job title?

A. Service receptionist.

Q. Service receptionist?

A. Correct.

Q. Working with the service technicians?

A. The service department. I checked in clients and checked out clients, made appointments for them.

Q. To have their vehicles serviced at the dealership?

A. Correct.

Q. Do you know when you began working with Security Dodge Jeep & Chrysler?

A. No, I don't.

Q. Did you have a job before that?

A. I don't remember.

Q. What year did you graduate high school?

A. 2008.

Q. 2008, okay. Do you think you went to work right after graduation?

A. I was working at Express. Then I worked at my dad's dealership to help him out a

Nada Smith

little bit.

Q. Which dealership is that?

A. The one in Long Island.

Q. Do you remember the name of that?

A. Yes. Planet Auto Group. Located in Huntington.

Q. So you did work there --

A. Yes.

Q. -- after high school and before working at Security Dodge Jeep & Chrysler of Amityville?

A. Yes.

Q. Is Planet Auto Group still open?

A. Yes, to my acknowledgment.

Q. You think that you started working there in 2008, right after graduation or shortly after graduation?

A. I would say 2009.

Q. How long did you work at Planet Auto Group of Huntington?

A. Up until I started working at Security Dodge.

Q. Security Dodge?

A. Yes. I don't remember what years

or anything, but I know that I started with BMW in 2011, so, you know.

Q. So between 2009 and 2011, you worked at your dad's place, Planet Auto Group; you worked at Security Dodge Jeep & Chrysler; and you worked at Dodge Jeep & Chrysler of Wantagh?

A. Correct.

Q. And then you said during high school you worked at Express?

A. Yes.

Q. Where?

A. In Walt Whitman Mall, located in Huntington.

Q. What was your job there?

A. Just a sales associate.

Q. What did that involve?

A. Taking care of the store. Folding clothes. Stocking up on the merchandise and everything like that. I didn't handle cashier.

Q. You didn't handle cashiering?

A. No.

Q. You were just on the floor and in the storeroom?

Nada Smith

A. Exactly.

Q. What did you do for your dad at Planet Auto Group in Huntington?

A. Receptionist.

Q. At Planet Auto Group in Huntington as a receptionist, did you deal with money or --

A. No.

Q. -- with the financing agreements?

A. No.

Q. Did you deal with money at all at Security Dodge Jeep & Chrysler, where you were the service receptionist?

A. Yes.

Q. In what way would you --

A. When they paid for their service.

Q. You would take their money?

A. Mm-hmm.

Q. Did you have a supervisor at Security Dodge Jeep & Chrysler?

A. Yes. I don't remember his name though, I'm sorry.

Q. Did you have a supervisor at Dodge Jeep & Chrysler of Wantagh?

Nada Smith

A. Yes.

Q. Do you remember his or her name?

A. I believe his name was Joseph. I don't remember his last name.

Q. Did you handle money at all --

A. No.

Q. -- from customers at Dodge Jeep & Chrysler?

A. No.

Q. You said that you were the front door receptionist at Habberstad BMW of Bay Shore?

A. Correct.

Q. Did you deal with money there at all?

A. No.

Q. Did you ever work at Planet Motor Cars in Queens, New York?

A. No.

Q. Are you familiar with Planet Motor Cars?

A. Yes.

Q. Do you know who owned Planet Motor Cars?

A. My father -- no, I'm sorry, I believe it was my mother.
Q. Your mother?
A. Yes. I'm not too sure honestly.
Q. So you don't know if your father or your mother owned Planet Motor Cars?
A. I don't know. But I know it's family-owned.
Q. What is your mother's name?
A. Shadia Ibrahim.
MR. LANE: Excuse me, I'm sorry, you can't talk to each other. You can't speak at all during her deposition.
THE WITNESS: I'm sorry.
Q. What is your mother's name?
A. My mother's name is Amir Sharif Eldin.
Q. A-M-I-R?
A. Mm-hmm. Sharif.
Q. S-H-A-R-I-F.
A. I don't know.
Q. And her last name?
A. That's her last name.
Q. And then the third name again,

Nada Smith

Amir Sharif?
A. Eldin. That's all one name.
Q. Sharif Eldin?
A. Yes.
Q. E-L-D-I-N?
A. Yes.
Q. Before that, you gave me a different name: Shadia Ibrahim?
A. That's my stepmother.
Q. Is your mother living?
A. Yes.
Q. Amir Sharif Eldin?
A. Yes.
Q. Are your parents divorced?
A. Yes.
Q. Do you think your mother or your stepmother may have owned Planet Motor Cars?
A. My stepmother.
Q. Shadia Ibrahim?
A. Correct.
MR. LANE: Let's go off the record.
(A discussion is held off the record.)

Nada Smith

A. No.

Q. By "someone," do you think it's either your father or your stepmother?

A. I'm not sure.

Q. You're just not sure?

A. Yeah.

Q. Is there some other family member that could possibly own it?

A. I don't know.

Q. But you seem to know that it is a family-owned business?

A. Yes. But I don't know who owns it.

Q. Is there any possibility that someone other than your father could be the owner of Hillside Motors?

A. Yes.

Q. Could you give me a list of some possible people who might be owners of Hillside Motors?

A. I don't know, I'm sorry.

Q. It just seemed interesting to me that you know that it's family-owned, but you don't know --

Nada Smith

Q. Are you familiar with Hillside Motors --

A. Yes.

Q. -- on Hillside Avenue in Queens?

A. Yes.

Q. What do you know about Hillside Motors?

A. I know it's a car dealership.

Q. Did you ever work there?

A. No.

Q. Have you ever been there?

A. Once or twice.

Q. Why were you there?

A. Just to pick up a relative.

Q. Do you know who owns Hillside Motors?

A. No.

Q. Why were you picking up a relative at Hillside Motors?

A. It's a family-owned business. I'm not sure who owns it.

Q. Someone in your family owns it?

A. Yes.

Q. You don't know who?